



PATENT  
CASE NO. 21272Y

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: MARK E. FRALEY, ET AL.

Serial No. 10/539,531

Filed June 17, 2005

Group Art Unit 1625

Examiner B.M. Robinson

For: MITOTIC KINESIN INHIBITORS

Transmitted herewith is an amendment in the above-identified application.

☐ No additional fee is required.

☒ The fee has been calculated as shown below.

**CLAIMS AS AMENDED**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>12</u>	-	** <u>20</u> =	<u>0</u> X	\$52	= <u>0.00</u>
Independent Claims	* <u>4</u>	-	*** <u>3</u> =	<u>1</u> X	\$220	= <u>220.00</u>
Multiple Dependent Claims					\$390 ****	= <u>        </u>
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						<b>220.00</b>

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

\*\*\*\* Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 220.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755.

Respectfully,

By: David A. Muthard

Attorney          for Applicant(s)

Reg. No. 35,297

MERCK & CO., INC.  
Patent Dept., RY60-30  
P.O. Box 2000  
Rahway, N.J. 07065-0907

(732) 594-3903

Date: October 6, 2008

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

**MERCK & CO., INC.**

By Barbara Muller Date 10-6-08



*Ifw*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Mark E. Fraley et al.

**Serial No.:** 10/539,531

**Case No.:** 21272Y

**Art Unit:**  
1625

**Filed:** June 17, 2005

**For:** MITOTIC KINESIN INHIBITORS

**Examiner:**  
B. M. Robinson

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 35 U.S.C. 1.111

Sir:

The following amendments and remarks are in response to an Office Action that was mailed on August 19, 2008, and which has an unextended period of response that expires on November 19, 2008.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC

MAILED BY Barbara Mueller DATE 10-6-08

10/08/2008 ETECLE1 00000006 132755 10539531  
01 FC:1201 220.00 DA